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EXAMINER

LEE, RICHARD J

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 08/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/987,498

Applicant(s)

GIN, J.M. JACK

Examiner

Richard Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because phrases which can be implied, such as "The present invention" appearing at line 1 of the Abstract should be avoided. Correction is required. See MPEP § 608.01(b).

3. The drawings are objected to because all diagrammatic blocks are required to be labeled to indicate contents or function (37 C.F.R. 1.83(a), 1.84(o)). Therefore, diagrammatic blocks 105-107, 650, 651, 707, 708, 712, 713, 990, and 995 of Figure 2 should be labeled. Correction is required.

4. Applicant is required to submit a proposed drawing correction in response to this Office action. However, correction of the noted defect can be deferred until the application is allowed by the examiner.

5. The disclosure is objected to because of the following informalities: Elements 930, 931, 950, and 960, as identified at pages 11 of the Specification are not shown in any of the figures of the drawings.

Appropriate correction is required.

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6. Claims 11, 14, and 16-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For examples:

(1) claim 11, line 2, "the system" shows multiple antecedent basis (see claim 1, line 1, claim 10, line 2);

(2) claim 14, line 2, the phrase "can control" does not show positive recitation and as such renders the claim indefinite;

(3) claim 16, line 2, "the components" shows no clear antecedent basis;

(4) claim 17, line 7, the phrase "can be" does not show positive recitation and as such renders the claim indefinite;

(5) claim 17, line 10, "the components" shows no clear antecedent basis;

(6) claim 18, lines 6-7, "the system" shows multiple antecedent basis (see claim 1, line 1, claim 18, line 2);

(7) claim 18, line 10, the phrase "can be" does not show positive recitation and as such renders the claim indefinite;

(8) claim 18, line 13, "the components" shows no clear antecedent basis; and

(9) claim 19, line 2, "the components" shows no clear antecedent basis.

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7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-4 and 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Schofield et al (US 2002/0003571 A1).

Schofield et al discloses a video mirror systems incorporation an accessory module as shown in Figures 10, 31, 41A, 41B, 59A, 59B, 78, and 116-119, and the same dual camera surveillance and control system as claimed in claims 1-4 and 6-8, comprising the same color camera (i.e., color sensor of Figure 78 and see pages 43-44, section [0376]) for observation under bright daytime conditions, wherein the color camera has a lens optimized for color with infrared filtering; a monochrome camera (see monochrome sensor of Figure 78, and see pages 43-44, section [0376]) for observation under infrared illumination for dark nighttime conditions, wherein the monochrome camera has a lens optimized for monochrome viewing and is supercharged for infrared sensitivity; an infrared illuminator (see pages 43-44, section [0376], pages 47-48, section [0388]); a control module for selection of color or monochrome camera operation and of infrared illumination, depending on ambient light conditions (see pages 43-44, section [0376]); the color camera and the monochrome camera each has an independent lens having a separate variable focal control via the control module (see page 19, section [0265], pages 48-49, section [0391]), providing a switch of mode from daylight to infrared night light operation without a focal shift (see pages 43-44, section [0376]); an auto iris control board that

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independently controls an iris in each independent lens (see pages 14-16, section [0247] and page 36, section [0328]); and in which a video output signal is switched from mono to color depending on the ambient light levels (see pages 43-44, section [0376]).

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al as applied to claims 1-4 and 6-8 in the above paragraph (8), and further in view of Wang et al (5,816,151).

Schofield et al discloses substantially the same dual camera surveillance and control system as above, but does not particularly disclose in which the infrared illuminator gives illumination in the range of from 805 to 995 nanometers of electromagnetic radiation as claimed in claims 5 and 9. However, Wang et al discloses a device for the alignment of images as shown in Figure 2, and teaches the conventional wavelengths of electromagnetic waves in the infrared region to be equal to or greater than 800 nm. Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al and Wang et al references in front of him/her and the general knowledge of infrared illuminations, would have had no difficulty in using the teachings of Wang et al involving the infrared wavelength region to be equal to or greater than 800 nanometers to provide the illumination range of from 805 to 995 nanometers of electromagnetic radiation for the infrared illuminator of Schofield et al for the same well known viewing of infrared images in the desired illumination ranges purposes as claimed.

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11. Claims 10, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al as applied to claims 1-4 and 6-8 in the above paragraph (8), and further in view of Carter (5,563,579).

Schofield et al discloses substantially the same dual camera surveillance and control system as above, further including a power system having a battery, an energy management module, and an ambient energy charger for the battery (see page 37, section [0331], pages 43-44, section [0376], pages 77-78, sections [0551 to 0554]); a wireless transmitter for transmission of video to a base (see page 15, column 2, page 28, section [0309], pages 31-33, sections [0316 and 0317]); in which the energy management module comprises a day/night sensor (see page 43-44, section [0376] and a power select switch (i.e., when switching from the monochrome and color cameras, see pages 43-44, section [0376]) and in which the ambient energy charger is a solar panel that converts solar energy to electrical energy battery (see page 37, section [0331], pages 43-44, section [0376], pages 77-78, sections [0551 to 0554]); and a communications board to intelligently capture desired relevant video at a remote location for transmission to another location (see page 15, column 2, page 28, section [0309], pages 31-33, sections [0316 and 0317]).

Schofield et al does not particularly disclose, though a low power detection module as claimed in claim 10. The particular use of low power detection modules for the identification of the power level is however old and well recognized in the art, as exemplified by Carter (see 76 of Figure 9, low battery detection circuit of Figure 11, column 9, lines 22-39, column 10, lines 6-31). Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al and Carter references in front of him/her and the general knowledge of low power

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detections with associated systems, would have had no difficulty in providing the low power detector of Carter within the dual camera surveillance system of Schofield et al for the same well known identification of low power level situations for the camera and associated systems so that the operator may be adequately warned purposes as claimed.

12. Claims 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al and Carter as applied to claims 1-4, 6-8, 10, 12, and 13 in the above paragraphs (8) and (11), and further in view of Courtney (6,385,772).

The combination of Schofield et al and Carter discloses substantially the same dual camera surveillance and control system as above, but does not particularly disclose a wireless receiver for receiving instructions for the system from the base and an internet protocol module by which users can control the surveillance camera at a remote location over the internet as claimed in claims 11 and 14. It is to be noted that Schofield et al does teach the particular use of an internet connection between the driver of a vehicle and the home thereby viewing an image of the crib at home on a vehicular video screen (see page 15, column 2), but Schofield et al does not particularly disclose an internet protocol module by which users can control the surveillance camera at a remote location over the internet as claimed. However, Courtney discloses a monitoring system having wireless remote viewing and control as shown in Figure 1, and teaches the conventional internet protocol module (i.e., 38 of Figure 1) in which a user has the capability of controlling cameras at a remote location over the internet and a wireless receiver for receiving instructions for the system from the base (see column 4, lines 1-13, lines 35-45, column 5, line 45 to column 6, line 53). Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al, Carter, and Courtney references in front of him/her and the

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general knowledge of remote camera control operations, would have had no difficulty in providing the internet protocol module in which a user has the capability of controlling cameras at a remote location over the internet and a wireless receiver for receiving instructions for the system from the base as taught by Courtney as part of the dual camera surveillance system of Schofield et al for the same well known control of the cameras from a remote location purposes as claimed.

13. Claim 15 is under 35 U.S.C. 103(a) as being unpatentable over Schofield et al and Carter as applied to claims 1-4, 6-8, 10, 12, and 13 in the above paragraphs (8) and (11), and further in view of Monroe (6,545,601).

The combination of Schofield et al and Carter discloses substantially the same dual camera surveillance and control system as above, but does not particularly disclose a satellite based video data transfer module as claimed in claim 15. Satellite based video communications are however old and well recognized in the art, as exemplified by Monroe (see column 13, line 54 to column 14, line 8). Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al, Carter, and Monroe references in front of him/her and the general knowledge of wireless video communications, would have had no difficulty in providing the satellite based video data transfer module as taught by Monroe for the dual camera surveillance system of Schofield et al for the same well known video transmission via satellite purposes as claimed.

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14. Claim 16 is under 35 U.S.C. 103(a) as being unpatentable over Schofield et al and Carter as applied to claims 1-4, 6-8, 10, 12, and 13 in the above paragraphs (8) and (11), and further in view of Barker (5,184,215).

The combination of Schofield et al and Carter discloses substantially the same dual camera surveillance and control system as above, but does not particularly disclose a housing for the components that is weather-tight as claimed in claim 16. The particular use of weather tight housings in general is however old and well recognized in the art, as exemplified by Barker (see column 3, lines 17-45). Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al, Carter, and Barker references in front of him/her and the general knowledge of the protection of housings in the outdoor environment, would have had no difficulty in providing the weather tight housing structure as taught by Barker for the components within the dual camera surveillance system of Schofield et al for the same well known protection of equipment within a housing from inclement weather conditions purposes as claimed.

15. Claim 17 is under 35 U.S.C. 103(a) as being unpatentable over Schofield et al, Carter, Monroe as applied to claims 1-4, 6-8, 10, 12, and 13 in the above paragraphs (8), (11), and (13), and further in view of Barker (5,184,215) and Courtney (6,385,772).

The combination of Schofield et al, Carter, and Monroe discloses substantially the same dual camera surveillance and control system as above, but does not particularly disclose the followings:

(a) an internet protocol module by which users can control the surveillance camera at a remote location as claimed in claim 17; and

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(b) a housing for the components that is weather tight as claimed in claim 17

Regarding (a), it is to be noted that Schofield et al does teach the particular use of an internet connection between the driver of a vehicle and the home thereby viewing an image of the crib at home on a vehicular video screen (see page 15, column 2), but Schofield et al does not particularly disclose an internet protocol module by which users can control the surveillance camera at a remote location over the internet as claimed. However, Courtney discloses a monitoring system having wireless remote viewing and control as shown in Figure 1, and teaches the conventional internet protocol module (i.e., 38 of Figure 1) in which a user has the capability of controlling cameras at a remote location over the internet (see column 4, lines 1-13, lines 35-45, column 5, line 45 to column 6, line 53). Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al, Carter, Monroe, and Courtney references in front of him/her and the general knowledge of remote camera control operations, would have had no difficulty in providing the internet protocol module in which a user has the capability of controlling cameras at a remote location over the internet as taught by Courtney as part of the dual camera surveillance system of Schofield et al for the same well known control of the cameras from a remote location purposes as claimed.

Regarding (b), the particular use of weather tight housings in general is however old and well recognized in the art, as exemplified by Barker (see column 3, lines 17-45). Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al, Carter, Monroe, and Barker references in front of him/her and the general knowledge of the protection of housings in the outdoor environment, would have had no difficulty in providing the weather tight housing structure as taught by Barker for the components within the dual camera

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surveillance system of Schofield et al for the same well known protection of equipment within a housing from inclement weather conditions purposes as claimed.

16. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al and Wang et al as applied to claims 1-9 in the above paragraphs (8) and (10), and further in view of Courtney (6,385,772), Barker (5,184,215) and Monroe (6,545,601).

The combination of Schofield et al and Wang et al discloses substantially the same dual camera surveillance and control system as above, further including a power system having a battery, an energy management module, and an ambient energy charger for the battery (see page 37, section [0331], pages 43-44, section [0376], pages 77-78, sections [0551 to 0554] of Schofield et al); a communications board to intelligently capture desired relevant video data at a remote location for transmission to another location (see page 15, column 2, page 28, section [0309], pages 31-33, sections [0316 and 0317] of Schofield et al)

The combination of Schofield et al and Wang et al does not particularly disclose the followings:

(a) a wireless transceiver for receiving instructions for the system from the base and an internet protocol module by which users can control the surveillance camera at a remote location as claimed in claim 18;

(b) a satellite based video data transfer module as claimed in claim 18; and

(c) a housing for the components that is weather tight as claimed in claim 18.

Regarding (a), It is to be noted that Schofield et al does teach the particular use of an internet connection between the driver of a vehicle and the home thereby viewing an image of the crib at home on a vehicular video screen (see page 15, column 2), but Schofield et al does not

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particularly disclose an internet protocol module by which users can control the surveillance camera at a remote location over the internet as claimed. However, Courtney discloses a monitoring system having wireless remote viewing and control as shown in Figure 1, and teaches the conventional internet protocol module (i.e., 38 of Figure 1) in which a user has the capability of controlling cameras at a remote location over the internet and a wireless transceiver for receiving instructions for the system from the base (see column 4, lines 1-13, lines 35-45, column 5, line 45 to column 6, line 53). Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al, Wang et al, and Courtney references in front of him/her and the general knowledge of remote camera control operations, would have had no difficulty in providing the internet protocol module in which a user has the capability of controlling cameras at a remote location over the internet and a wireless receiver for receiving instructions for the system from the base as taught by Courtney as part of the dual camera surveillance system of Schofield et al for the same well known control of the cameras from a remote location purposes as claimed.

Regarding (b), satellite based video communications are however old and well recognized in the art, as exemplified by Monroe (see column 13, line 54 to column 14, line 8). Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al, Wang et al, and Monroe references in front of him/her and the general knowledge of wireless video communications, would have had no difficulty in providing the satellite based video data transfer module as taught by Monroe for the dual camera surveillance system of Schofield et al for the same well known video transmission via satellite purposes as claimed.

Regarding (c), the particular use of weather tight housings in general is however old and well recognized in the art, as exemplified by Barker (see column 3, lines 17-45). Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al, Wang et al, and Barker references in front of him/her and the general knowledge of the protection of housings in the outdoor environment, would have had no difficulty in providing the weather tight housing structure as taught by Barker for the components within the dual camera surveillance system of Schofield et al for the same well known protection of equipment within a housing from inclement weather conditions purposes as claimed.

17. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al and Carter as applied to claims 1-4, 6-8, 10, 12, and 13 in the above paragraphs (8) and (11), and further in view of Loyd et al (6,624,845) and Barker (5,184,215).

The combination of Schofield et al and Carter discloses substantially the same dual camera surveillance and control system as above, but does not particularly disclose a housing for the components that is weathertight, substantially spherical dome having flat windows, the color camera and the mono camera mounted on a central axis within the sphere to allow pan and tilt rotation in full 360 degree rotation on two axes as claimed in claim 19. However, Loyd discloses an apparatus within a street lamp for remote surveillance as shown in Figures 1-5, and teaches the conventional housing for the components that is substantially spherical dome having flat windows (see Figures 1-3 and column 1, line 50 to column 2, line 28) and cameras being mounted on a central axis within the sphere to allow pan and tilt rotation in full 360 degree rotation on two axes (see Abstract). It is noted that Loyd is silent as to whether the housing is a weather tight structure. Barker nevertheless teaches such desire to provide housings with a

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weather tight protection (see column 3, lines 17-45). Therefore, it would have been obvious to one of ordinary skill in the art, having the Schofield et al, Carter, Loyd, and Barker references in front of him/her and the general knowledge of camera structures and features, would have had no difficulty in providing the weather tight housing features with a substantially spherical dome having flat windows and camera pan and tilt rotation in full 360 degree rotation on two axes as taught by Barker and Loyd as part of the color and mono cameras of Schofield et al for the same well known protection and manipulation of cameras for obtaining a wide field of images purposes as claimed.

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Strumolo et al discloses a system for acquiring and displaying vehicular information.

Tanaka discloses a remote monitoring unit.

19. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)


(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Lee whose telephone number is (703) 308-6612. The Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group customer service whose telephone number is (703) 306-0377.


RICHARD LEE
PRIMARY EXAMINER

Richard Lee/rl

8/5/04

